

## REMARKS

Reconsideration and allowance are respectfully requested in view of the following remarks.

Claims 1-36 are pending in the present application. Claims 4 and 23 have been amended. No new matter has been added.

### Claim Rejections Under 35 U.S.C. § 112

Claims 4 and 23 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Specifically, the Examiner suggests that the phrase "and/or" is unclear.

Claims 4 and 23 are amended for clarification. Accordingly, withdrawal of the rejections of claims 4 and 23 is respectfully requested.

### Claim Rejections under 35 U.S.C. §102

Claims 1-4, 6-8, 20-26, 34 and 36 are rejected under 35 U.S.C. §102(a) as allegedly being anticipated by Goldenberg et al. (WO 03/021927 A2, hereinafter "Goldenberg").

The present invention relates to capturing and processing data using separate input devices. FIG. 1 illustrates a system 100 for capturing media data during a recording session, e.g., a meeting having one or more participants, according to an exemplary embodiment. In the FIG. 1 system 100, microphones 102a and 102b are respectively provided for audio sources 104a and 104b. Each audio source can correspond to a meeting participant. The microphones 102a and 102b are

connected to a central-processing-station/editor 106, which can be a personal computer, server or other type of processor-based equipment. The central-processing-station/editor 106 can record an audio signal from each separate input device, such as microphones 102a or 102b, as an audio file. The central-processing-station/editor 106 can process the audio data to identify portions of the audio data having a predetermined audio characteristic, such as the voice of a participant or a predetermined level of audio energy. Subsequent to identifying a portion of the audio data, a media processor 116 in the central-processing-station/editor 106, as shown in the exemplary embodiment of FIG. 1, outputs an audio record for each identified audio portion. The outputted audio record is associated with temporal data. Such features allow a user to review the media data easily. For example, the user can choose to play only the audio from particular participants. As another example, a user reviewing the media data may deselect the louder participants and select to hear the commentary by the quieter speakers in a heated discussion in which all participants speak at once, drowning out quieter speakers.

The foregoing features are broadly encompassed in claim 1, which recites that each audio record is associated with temporal data used in determining a sequence of the identified portion of audio data in relation to other identified portions of audio data from other separate input devices.

Goldenberg does not teach or suggest each feature of claim 1. Goldenberg relates to capturing, storing and retrieving customer face-to-face frontal interactions in a walk-in environment. Voice in a face-to-face interaction can be captured in two omni-directional microphones, or a single bi-directional microphone. To determine

the beginning and end of an interaction, the system can correlate application screen activity, e.g., launching a new customer screen in the application, with voice content analysis, e.g., the agent saying "next", to reach a higher level of accuracy in identifying a beginning and end of an interaction. Page 10, lines 23-26. The system can avoid recording silence. Page 13, lines 10-15. The system can also reduce noise in the environment by various processing of the signals, e.g., filtering background noise, or negating sounds common to the signals coming from the customer and the agent. Page 16, line 19 - page 17, line 2.

In Goldenberg, the voice signals that are identified for certain purposes, e.g. determining a beginning and end of an interaction, or reducing background noise, are not associated with temporal data. In addition, there is no teaching or suggestion in Goldenberg that temporal data are associated with data from one input, and are used in determining a sequence of the identified portion of the voice signal in relation to identified portions of video signal from another input. Therefore, Goldenberg fails to teach or suggest that each audio record is associated with temporal data used in determining a sequence of the identified portion of audio data in relation to other identified portions of audio data from other separate input devices, as recited in claim 1.

In view of the foregoing, claim 1 is patentable. Claims 2-4, 6-8 and 20 are patentable at least because of their dependency. Claims 21-26, 34 and 36 are patentable for reasons analogous to these of claim 1 because claims 21-26, 34 and 36 include distinguishing features analogous to those of claim 1.

**Claim Rejections Under 35 U.S.C. § 103**

Claim 9 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Goldenberg, and further in view of Nakamura et al. (U.S. Patent No. 6,061,496, hereinafter "Nakamura"). Claims 5, 9-19, 27-23, 35 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Goldenberg, and further in view of Dolby (U.S. Patent No. 4,773,094, hereinafter "Dolby").

Nakamura is relied upon for allegedly teaching using recording reference data to reproduce audio data. Dolby is relied upon for allegedly teaching the use of recording reference data to reproduce audio data, and that the reference signal is a main reference signal used in generating reference data in each of the separate input devices to synchronize files of participants at locations remote from one another.

Neither Nakamura nor Dolby remedies the above-noted deficiencies of Goldenberg. Goldenberg and the secondary references, whether considered individually or in combination, do not teach or suggest each feature of Applicant's independent claims, or 5, 9-19, 27-23 and 35. Therefore, claims 5, 9-19, 27-23 and 35 are further patentable.

**CONCLUSION**

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.


In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of present application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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